

NOT FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX

ROY TRANTHAM,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 1998-140
)	
FORD MOTOR CO. and FORD MOTOR)	
COMPANY CARIBBEAN, INC.,)	
)	
Defendants.)	

ATTORNEYS:

Lee Rohn, Esq.
St. Croix, U.S.V.I.
For the plaintiff,

Andrew C. Simpson, Esq.
St. Croix, U.S.V.I.
For the defendants.

ORDER

This matter is before the Court on the defendants' motion to dismiss for failure to state a claim.

WHEREAS the defendants concede that, even if the complaint fails to state a single claim, the plaintiff's response to their motion "finally explains the intent of [his] complaint," (see Def.'s Reply, Nov. 17, 1998, at 1), and

WHEREAS the plaintiff may amend his complaint "as a matter of course in response to a motion to dismiss grounded on a failure to state a claim upon which relief may be granted," see

Urrutia v. Harrisburg County Police Dep't, 91 F.3d 451, 454 n.1
(3d Cir. 1996), it is hereby

ORDERED that the plaintiff shall have twenty days to file an
Amended Complaint in this case. It is further

ORDERED that the defendants' motion to dismiss for failure
to state a claim is **DENIED** without prejudice.

ENTERED this 15th day of September, 1999.

FOR THE COURT:

_____/s/_____
Thomas K. Moore
District Judge

ATTEST:
ORINN ARNOLD
Clerk of the Court

By: ____/s/_____
Deputy Clerk

Copies to:
Honorable Jeffrey L. Resnick
Lee Rohn, Esq., St. Croix,
U.S.V.I.
Andrew C. Simpson, Esq., St.
Croix, U.S.V.I.
Mrs. Jackson
J. S. Millard, Esq.